

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW MEXICO**

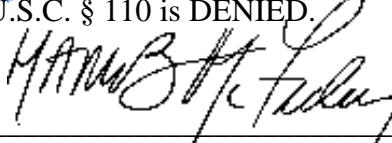
In re: BRENTA MARIE SALAZAR,  
Debtor.

No. 7-08-12538 MA

**ORDER DENYING BANKRUPTCY PETITION PREPARER'S  
DEMAND FOR JURY TRIAL**

THIS MATTER is before the Court on the demand for trial by jury filed by bankruptcy petition preparer Pamela Brown, *pro se*, in response to the United States Trustee's Motion for Order Imposing Sanctions Against Bankruptcy Petition Preparer Pursuant to 11 U.S.C. § 110. Ms. Brown's response demanded a jury trial based upon her Constitutional right under the Seventh Amendment. *See Docket No. 14.* There is no Seventh Amendment right to a jury trial in matters filed pursuant to 11 U.S.C. § 110. *See In re Gould v. Clippard*, 340 B.R. 861, 881-882 (M.D.Tenn 2006)(finding that an action filed under 11 U.S.C. § 110 is a "core proceeding" within the bankruptcy court's jurisdiction under 28 U.S.C. § 157(b)(2)(A) so that there was no right to a jury trial). *See also, In re Graves*, 279 B.R. 266, 272 (9<sup>th</sup> Cir. BAP 2002)(holding that "there is neither a constitutional nor a statutory right to a trial by jury in an action for a § 110(j) injunction.").

WHEREFORE, IT IS HEREBY ORDERED that Pamela Brown's demand for jury trial on the issues presented in the United States Trustee's Motion for Order Imposing Sanctions Against Bankruptcy Petitioner Pursuant to 11 U.S.C. § 110 is DENIED.



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MARK B. McFEELEY  
United States Bankruptcy Judge

Date entered on docket: February 5, 2009

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